

UNITED STATES DISTRICT COURT

for the
District of South Carolina

Michael T. Smith,

Petitioner

v.

Warden Kenney Atkinson,

Respondent

Civil Action No. 1:13-cv-02582-DCN

JUDGMENT IN A CIVIL ACTION

The court has ordered that *(check one)*:

☐ the petitioner *(name)* _____ recover from the respondent *(name)* _____ the amount of _____ dollars (\$___), which includes prejudgment interest at the rate of ____ %, plus postjudgment interest at the rate of ____ %, along with costs.

☐ the petitioner recover nothing, the action be dismissed on the merits, and the respondent *(name)* _____ recover costs from the petitioner *(name)* _____.

☒ other: the petitioner, Michael T. Smith, shall take nothing of the respondent, Warden Kenney Atkinson, as to the petition filed pursuant to 28 U.S.C. §2241 and this case is dismissed without prejudice.

This action was *(check one)*:

☐ tried by a jury, the Honorable _____ presiding, and the jury has rendered a verdict.

☐ tried by the Honorable _____ presiding, without a jury and the above decision was reached.

☒ decided by the Honorable David C. Norton, United States District Judge, presiding, adopting the Report and Recommendation set forth by the Honorable Shiva V. Hodges, United States Magistrate Judge, which dismissed the petition without prejudice.

Date: November 13, 2013

ROBIN L. BLUME, CLERK OF COURT

s/A. Buckingham

Signature of Clerk or Deputy Clerk